

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OKLAHOMA

FILED A

IN RE:

Robert Allen Carden

Debtor,

SEARS, ROEBUCK AND COMPANY  
A New York Corporation

Plaintiff,

vs.

ROBERT ALLEN CARDEN

Defendant.

BKR NO. 99-01334-M  
Chapter 7

99 NOV 16 AM 10:32  
TIMOTHY R. WATSON, CLERK  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF OKLA

ADV. NO. 99-0144-M

**AGREED JOURNAL ENTRY OF JUDGMENT DENYING DISCHARGEABILITY**

Now on this 16<sup>th</sup> day of November, <sup>1999</sup>~~1998~~ this matter comes before this Court on for consideration, the Plaintiff Sears, Roebuck and Company appearing through its attorneys of record, Stephen L. Bruce and Richard S. Winblad, and the Defendant, Robert Allen Carden, appearing through her attorney, Betty Pitts-Cartwright.

After reviewing the record in this proceeding and being duly advised in the premises the Court finds and concludes as follows:

1. The Plaintiff timely filed its Complaint to Determine Dischargeability of Debt herein on June 30, 1999, and served a copy of the Summons and Complaint upon the Defendant and his attorney.
2. The allegations in the Plaintiff's Petition are by stipulation of the parties confessed in part and the debt owed to Plaintiff by the Defendant, Robert Allen Carden, in the amount of \$2,994.46 at the interest rate set out by the statutes of the State of Oklahoma for judgments is held to be nondischargeable pursuant to 11 U.S.C. Section

523(a)(2)(A).

3. The Plaintiff is awarded judgment against the Defendant, Robert Allen Carden in the amount of \$2,994.46 with interest at the statutory rate.


4. This agreement was entered after reviewing the evidence that the Plaintiff provided to the Defendant's attorney.


IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Debt owing to the Plaintiff herein by the Defendant, Robert Allen Carden, is nondischargeable and that collection of the said debt shall in no way be barred by these proceedings and that the Plaintiff, Sears, Roebuck and Company, have and recover judgment against the Defendant, Robert Allen Carden, for the sum of \$2,994.46 with interest at the statutory rate. Each side will pay its own court costs and attorney fees.

It is further stipulated by the parties that the Defendant will pay the said judgment in monthly payments of \$50.00 due on the first of each month beginning on the first day of the month following the date that this judgment is entered and filed. It is further stipulated that the Plaintiff will take no collection action unless the Defendant breached its payment obligation as set out in this paragraph.

DATED: November 16, 1999

  
Lawrence J. Tuck  
Bankruptcy Judge

  
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